

In The United States Court of Federal Claims

No. 08-50T

(Filed: March 11, 2010)

TIMOTHY L. JENKINS,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

ORDER

On Wednesday, March 10, 2010, a telephonic status conference was held in this case. Participating in the conference were Jane C. Bergner, on behalf of plaintiff, and Allison Barbara Ickovic, on behalf of defendant. In accordance with the discussions held therein, the court adopts the following schedule in this matter:

1. On or before April 14, 2010, plaintiff shall file his motion regarding the burden of proof/presumption of correctness.
2. On or before April 21, 2010, the parties shall have the Meeting of Counsel and exchange exhibits and information on witnesses, including expert witnesses, to be used at trial. *See* RCFC, Appendix A, ¶ 13(a) and (b);
3. On or before May 24, 2010, plaintiff shall file:
 - (a) His Memorandum of Contentions of Fact and Law, containing a summary of plaintiff's basic factual contentions, together with any applicable legal authority. *See* Appendix A, ¶ 14(a);
 - (b) A separate statement setting forth a list of witnesses to be called at trial, pursuant to Appendix A, ¶ 15;
 - (c) A separate statement setting forth a list of exhibits to be offered at trial, pursuant to Appendix A, ¶ 16;

4. On or before May 24, 2010, defendant shall file its response to plaintiff's motion;
5. On or before June 25, 2010, defendant shall file:
 - (a) Its response to plaintiff's Memorandum of Contentions of Fact and Law. *See* Appendix A, ¶ 14(b);
 - (b) A separate statement setting forth a list of witnesses to be called at trial, pursuant to Appendix A, ¶ 15;
 - (c) A separate statement setting forth a list of exhibits to be offered at trial, pursuant to Appendix A, ¶ 16
6. On or before June 25, 2010, plaintiff shall file his reply in support of his motion;
7. A pre-trial conference will be held on July 9, 2010, at 10:00 a.m. (EST), at the United States Court of Federal Claims, National Courts Building, 717 Madison Place, N.W., Washington, D.C. 20005. The courtroom location will be posted in the lobby on the day of the conference; and
8. Trial in this case will commence at 10:00 a.m. (EST) on Monday, August 2, 2010, at the United States Court of Federal Claims, National Courts Building, 717 Madison Place, N.W., Washington, D.C. 20005. The courtroom location will be posted in the lobby on the day of trial. Each subsequent day of trial will begin at 9:30 a.m. (EST).

IT IS SO ORDERED.

s/ Francis M. Allegra
Francis M. Allegra
Judge